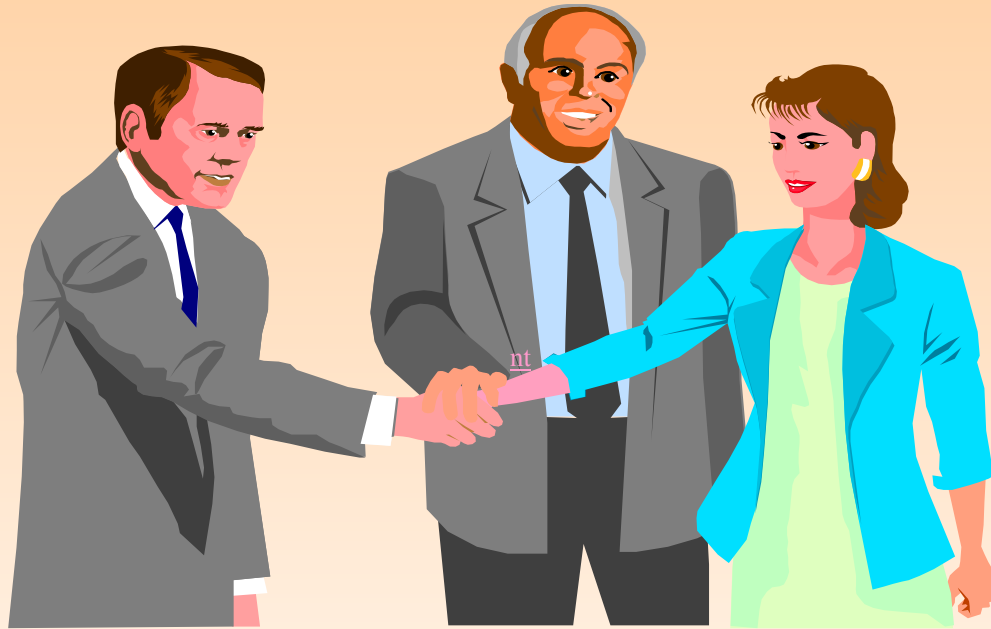


ALTERNATIVE DISPUTE RESOLUTION



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EMPLOYEE BRIEFING

WHAT IS ALTERNATIVE DISPUTE RESOLUTION (ADR)?

- **Problem-solving, Communication Tool.**
- **Chance to Resolve Disputes Early On.**
- **Neutrals do not Make Decisions for You.**
- **Confidential.**
- **Voluntary.**
- **Explain Your Point-of-View.**
- **Goal is a Written Settlement Agreement.**
- **A Representative can Attend.**
 - **Process Belongs First and Foremost to You.**
- **Can Bring Documentation to the ADR Session.**



“HEAR Workplace Disputes”

(Helping Employers/employees Alternatively Resolve)

- **HRO Norfolk’s ADR Program.**
- **17 Neutrals Trained Under Navy Guidelines**
- **Neutrals Responsible for ADR Process**
- **Fast & Cost Effective Means of Dealing with Workplace Disputes such as:**
 - **Conflicts between Employees and Supervisors**
 - **Equal Employment Opportunity (EEO) Complaints.**
 - **Administrative Grievances.**
 - **Union Issues (IAW Collective Bargaining Agreement).**

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WHAT ARE “COSTS” OF CONFLICT?

- Low Morale.
- Stress.
- Feeling Like your Not Being Heard.
- Loss of Respect.
- Fear.
- Anger.
- Low Productivity.
- Poor Performance.
- Absenteeism.
- Loss of Enjoyment of Job.
- Workplace Disputes Filter Over into Other Areas of Life.
- Feeling that Your not of Value to your Command.

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WHY USE ADR?

- **To Resolve Conflicts in a Mutually Acceptable Manner.**
- **Fast and Less Expensive in Terms of Time Spent & Money Required.**
- **Parties Maintain Control of Process.**
- **Solution to Conflict not Imposed by an Outside, 3rd Party, such as an Administrative Judge.**
- **Continuing Work Relationships are Involved.**
- **ADR brings the Parties Personally Involved to the Table.**
- **Improved Communications Between Supervisors & Employee.**
- **Builds Trust.**
- **Reduces Tension.**

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WHY USE ADR?

- To Resolve Conflicts Fast.
EEO Complaint Process = Approx. 576 Days.
ADR Process = One Day (Generally).
- Time it takes to set up Session = Generally, Less than 35 Days
- Number of Cases in FY 03 = 70
- Resolution Rate FY 03 = 81%

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HOW DOES AN ADR SESSION WORK?

- Prior to ADR, Intake Neutral Talks with All Participants.
- All Participants are Notified in Writing of Attendees.
- At the ADR Session, the Neutral again Goes Over the ADR Process.
- Participants are Asked to Explain Their Concerns.
- The Neutral Will Summarize the Issues.
- Options for Resolution Are Discussed.
- Participants May Caucus Privately With Neutral.
- If Resolution Reached, it is Reduced to a Written Settlement Agreement.
- In an EEO Complaint, the Party Alleging Discrimination would Withdraw Complaint.
- If Resolution Not Reached, all Administrative Processes Still Remain Available to Parties.

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WHAT'S THE PARTIES' COMMITMENT TO ADR?

- **Send the Person to the Table with Authority to Resolve the Matter.**
- **Good Faith Effort to Work with the Other Party Toward Resolution.**
- **Willing to Commit Time (one day).**
- **Before and During the Session Think of Ways the Dispute Could be Settled for Mutual Satisfaction, i.e., Think “Out of the Box.”**
- **Willingness to Follow the ADR Process.**

WHAT'S A NEUTRAL?

- **Impartial.**
- **Listens Actively.**
- **Looks for Interests not Positions.**
- **Does Not Make a Decision for the Parties.**
- **Helps Parties Attack the Problem.**
- **Helps Parties Focus on the Future.**
- **Helps Parties Develop Options for Resolution.**
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5 HEAR WORKPLACE DISPUTES

ADR PROCESSES

- **Mediation.**
- **Facilitation.**
- **Conciliation.**
- **Early Neutral Inquiry.**
- **Settlement Conference.**

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5 ADR PROCESSES PROCEDURES

- Confidential.
- Voluntary.
- Relies Heavily On Self-Determination.
- Not a Legal/Adversarial Proceeding.
- No Burden of Proof.
- No Determination by Neutral of Right/Wrong... Fault/Blame...Good/Bad.
- Parties Can Bring a Representative.

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ADR PROGRAM GUIDELINES

- 29 Code of Federal Regulation 1614.
- Administrative Dispute Resolution Act of 1996.
- SECNAVINST 5800.13 “Alternative Dispute Resolution.”
- DoD Directive 5145.5 “Alternative Dispute Resolution.”

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- **Website: www.hronorfolk.navy.mil/.**
 - **ADR Link.**
 - **“*HEAR* Workplace Disputes” link.**

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WHAT DO YOU HAVE TO LOSE? WHAT DO YOU HAVE TO GAIN?

In the Way of:

- Working Environment?
- Working Relationships?
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